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13 Proposed Attorneys for  
14 The Roman Catholic Bishop of Santa Rosa

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16 **UNITED STATES BANKRUPTCY COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA**  
18 **SANTA ROSA DIVISION**

19 In re:

20 THE ROMAN CATHOLIC BISHOP OF  
21 SANTA ROSA,

22 Debtor In Possession.

23 CASE NO. 23-10113

24 Chapter 11

25 Date: March 16, 2023  
26 Time: 1:00 p.m.  
27 Location: 1300 Clay Street, Ctrm. 215  
28 Oakland, CA  
[In person or via Zoom]  
Judge: Hon. Charles Novack

29 Order Shortening Time

30  
31 **DECLARATION OF DEACON JOE OBERTING IN SUPPORT OF DEBTOR'S**  
32 **MOTION FOR ORDER (1) PROHIBITING UTILITY COMPANIES FROM ALTERING,**  
33 **REFUSING OR DISCONTINUING SERVICE, (2) DETERMINING ADEQUATE**  
34 **ASSURANCE OF PAYMENT FOR POSTPETITION UTILITY SERVICES UNDER 11**  
35 **U.S.C. § 366, AND (3) ESTABLISHING PROCEDURES FOR DETERMINING**  
36 **ADEQUATE ASSURANCE OF PAYMENT (4) SCHEDULING A FINAL HEARING**

37 I, Joe Oberting, declare as follows:

38 1. I am a Deacon and Chief Financial Officer of The Roman Catholic Bishop of Santa  
39 Rosa (the "RCBSR" or the "Debtor in Possession"), the debtor and debtor in possession herein. As  
40 Deacon, I am generally familiar with the RCBSR's day-to-day operations, business affairs and

1 books and records.

2 2. On March 13, 2023 (“Petition Date”), the RCBSR filed its voluntary petition for  
3 relief under Title 11 of the United States Bankruptcy Code (the “Bankruptcy Code”). Pursuant to  
4 §§ 1107(a) and 1108 of the Bankruptcy Code, the Debtor continues to operate its business and  
5 manage its properties as a debtor in possession.

6 3. All facts set forth in this Declaration are based on my personal knowledge, upon  
7 information supplied to me by people who report to me, upon information supplied to me by  
8 RCBSR’s professionals and consultants, upon my review of relevant documents, or upon my  
9 opinion based on my experience and knowledge with respect to RCBSR’s operations, financial  
10 condition and related business issues. If I were called upon to testify, I could and would testify  
11 competently to the facts set forth herein, and I am authorized to submit this Declaration on behalf  
12 of RCBSR.

13 4. I make this declaration in support of the RCBSR’s motion to the Court for an order  
14 after an interim hearing (1) prohibiting utility companies from altering, refusing or discontinuing  
15 service; (2) determining that the Debtor’s furnishing of deposits to utility companies listed on  
16 Exhibit A attached to the exhibit document in an amount that represents fifty percent of the Debtor’s  
17 estimated average monthly usage over the past twelve months of such utility respectively  
18 constitutes adequate assurance of payment; (3) establishing procedures for assurance requests by  
19 the affected utilities and for determining adequate assurance of payment; and (4) scheduling a final  
20 hearing thereon (the “Motion”). All terms not otherwise defined herein have the same meaning as  
21 the Motion.

22 5. The RCBSR filed this case in order to reorganize its financial affairs pursuant to a  
23 plan of reorganization that will, among other things, fairly, justly, and equitably compensate victims  
24 of sexual abuse by clergy or others associated with the RCBSR and bring healing to victims,  
25 parishioners and others affected by past acts of sexual abuse. The RCBSR has limited funds with  
26 which to respond to the variety of demands from its creditors. The RCBSR requires the bankruptcy  
27 court’s protection and the protection of the bankruptcy laws to make fair and equitable payment on  
28 all of the claims against it, including the claims by victims of abuse, trade creditors, the parishes

and others, while continuing its ministries and support it offers to Catholic parishes and communities. Additional background information on the RCBSR can be found in my declaration regarding description of debtor and pre-filing history filed on the Petition Date.

6. The Debtor in Possession has multiple facilities and receives utility services from numerous utility companies. These facilities include the Chancery Office located at 985 Airway Ct., Santa Rosa, the residence of the Bishop at 1240 Manhattan Way, Santa Rosa, the Newman Center located near the campus of Sonoma State University at 1798 E Cotati Ave, Penngrove, and offices at the campus of Cardinal Newman High School at 24 Ursuline Road, Santa Rosa. A list of the utility companies (“Utility Companies”) and the Debtor in Possession’s corresponding utility company accounts is listed on Exhibit 1 hereto.<sup>1</sup> None of the Utility Companies hold prepetition deposits. Prior to the Petition Date, the Debtor in Possession timely remitted payments on monthly utility service obligations.

7. The Debtor's ongoing business operations require the Debtor to maintain uninterrupted utility services including electricity, natural gas, telephone, water, waste removal, internet and other services. Termination of a utility service would cause immediate and irreparable harm to the Debtor's business operations and critical reorganization efforts.

8. The average monthly utility bills are approximately \$3,500. I believe that the Debtor is current on all prepetition amounts due for utility services.

9. The Debtor intends to remain current on all payments to the Utility Companies on a post-petition basis as those obligations become due and has prepared projections showing that adequate funds have been budgeted for payment of anticipated post-petition utility services.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 13, 2023 at Santa Rosa, California.

/s/ Deacon Joe Oberting  
Deacon Joe Oberting

<sup>1</sup> The Debtor reserves the right to supplement the list of utility companies, and also reserve the right to argue that any of the listed utility companies do not fall under the purview of 11 U.S.C. § 366 as a “utility.”

# EXHIBIT 1

**Exhibit 1: List of Utility Companies and Accounts**

<b>Name and Address of Utility</b>	<b>Type of Service/ Account No.</b>	<b>Property Address Where Utility Provided (if applicable)</b>
AT&T Mobility P.O. Box 6463 Carol Stream, IL 60197-6463	Mobile phones Acct# 8750444301	
AT&T Teleconference Services P.O. Box 5002 Carol Stream, IL 60197-5002	Shared Conferencing Acct# 43884495-00001	
Bay Alarm P.O. BOX 51041 Los Angeles, CA 90051	Office alarm system	985 Airway Ct, Santa Rosa
City of Santa Rosa P.O. Box 1658 Santa Rosa, CA 95402-1658	Water Acct# 008817	Newman Center 1798 E Cotati Ave, Penngrove and 1240 Manhattan Way, Santa Rosa
Comcast P.O. Box 60533 City Of Industry, CA 91716-0533	Phone service Acct# 960197914	24 Ursuline Rd., Santa Rosa Phones for several offices (campus of Cardinal Newman High School, several chancery ministries have offices there)
Comcast Business P.O. Box 37601 Philadelphia, PA 19101-0601	Internet service Acct# 815530021- 0174793	24 Ursuline Rd., Santa Rosa Internet for several offices (campus of Cardinal Newman High School, and several chancery ministries have offices there)
Mitel P.O. Box 53230 Phoenix, AZ 85072-3230	Phone system Acct# 15222	985 Airway Ct, Santa Rosa
Penngrove Water 4982 Sonoma Hwy Santa Rosa, CA 95409-4247	Water Acct# CM-685	Newman Center 1798 E Cotati Ave, Penngrove, CA
PG&E P.O. BOX 997300 Sacramento, CA 95899-7300	Gas & Electric Acct# 4780611722-3 & 3939888946-7	1240 Manhattan Way (bishop's residence) and Newman Center 1798 E Cotati Ave, Penngrove
Recology P.O. BOX 51219 Los Angeles, CA 90051-5519	Compost and recycling, waste Acct# 1810791798	1240 Manhattan Way (bishop's residence) and Newman Center 1798 E Cotati Ave, Penngrove
Sonicnet Inc.	Internet Ref# ssunewman	Newman Center 1798 E Cotati Ave, Penngrove, CA
TPX Communications P.O. BOX 509013 San Diego, CA 92150-9013	Internet (incl. hardware) and data storage Acct# 166854	985 Airway Ct, Santa Rosa